

REMARKS

This amendment is being filed as part of an RCE.

Specification Amendments

Page 2 of the Official Action objects to drawing Figures 1-2 as not being clearly indicated as maps. The specification has been amended to clarify this. Withdrawal of the drawing objection is requested.

Claim Amendments

Claims 31, 36, and 38 have been amended to remedy the stated basis of objection. Withdrawal of the objection is solicited.

Claim 33 has been amended to remedy the stated basis of rejection under section 112, second paragraph.

The prior rejection of claim 41 was repeated. Claim 41 has been amended to remedy the stated basis of rejection.

Withdrawal of these rejections is solicited.

Claims 24, 27, and 32 are cancelled without prejudice.

Claims 21, 22, 31, 33, 36 38, 41, and 42 have been amended to clarify the recitations.

No new matter has been introduced by way of these amendments.

Rejections under 35 USC 103

Claims 21-34 and 36-42 were rejected as obvious over TEARE 5,243,652 in view of GIROUX 2002/0078361 and PIRILA 6,674,860.

Applicant again respectfully disagrees.

GIROUX teaches "associates a set of access policies with the encryption key so that only selected viewing users 106 under selected circumstances may view the document" (paragraph 14) and "the access policies may include geographical constraints" (paragraph 79) thereby clearly teaching that although access-policies may be location-specific, the encryption and decryption keys themselves are not location-specific.

Further, GIROUX teaches that access to a document, encrypted or unencrypted, may depend on location. Thus, GIROUX clearly teaches that access policies, and thereby the location, do not affect to whether or not a document, or a part of the document, is encrypted. That is, GIROUX fails to teach or suggest that the data itself is connected to a certain location or area.

From the above, one readily sees that GIROUX fails to teach a data connected to a certain area being encrypted. See, e.g., claim 21 reciting "providing the mobile terminal with divided into several parts, each part concerning data connected to a certain area and the data connected to the certain area being encrypted at least by a location-specific key;".

Since TEARE does not disclose the feature of the data connected to a certain area being encrypted, as acknowledged by the Official Action, the combination of TEARE and GIROUX also fail to teach this feature.

A combination of TEARE and GIROUX does teach that data or parts of data may be encrypted, or non-encrypted, and that the access to the data may depend on a user's location, and if the data is encrypted and the access conditions are satisfied, a decryption key, associated with the passed access condition, is sent. Thus, the combination teaches an access conditions-dependent decryption key. But such an access conditions-dependent decryption key is not what is recited. Such a decryption key is not specific to the location.

Nowhere is there taught or suggested that each access condition has its own decryption key. Therefore, TEARE and GIROUX fail to teach or suggest a location-specific decryption key, and any feature related thereto.

TEARE teaches that the mobile node includes means for acquiring the location, and the mobile node itself sends the location information to a central facility. GIROUX teaches the same. Thus, TEARE and GIROUX, combined, teach that location information on the mobile terminal is sent from the mobile terminal, whereas in the claims, the location information is sent from a location service directly to the server. Thus, this

feature is also non-obvious as TEARE and GIROUX teach contrary to the recited invention.

PIRILA teaches that a mobile terminal may obtain location information from a GPS, or the telecommunication system uses propagation delays between a base station and the mobile terminal to calculate the location, or the mobile terminal receives location information on base stations and uses the received information to calculate a location. However, none of the disclosed examples teach or suggest a location service sending location information directly to the service, as recited in, e.g., claim 21.

Accordingly, TEARE, GIROUX, and PIRILA taken in combination fail to teach or suggest this claimed feature in which the location service sends location information directly to a service.

Thus, each of the claims is non-obvious.

Applicant's previous remarks continue to apply.

The following features of claims 21, and the corresponding features of claims 33 and 42, are neither taught nor suggested:

- a data connected to a certain area being encrypted;
- and
- a mobile terminal adapted for use by decrypting the data/information.

Further, the applied art does not teach or suggest the following feature of claim 21, and the corresponding features of claims 33, 41, and 41:

- location information on the mobile terminal transported directly from the location service in the communication network to the server.

TEARE

With respect to method claim 21, TEARE discloses that the programming information may be video or data programming material which can be viewed via a user interface after it has been decrypted. TEARE also teaches that the server receives location information from user equipment, the location information being position history.

TEARE does not teach a data connected to a certain area being encrypted, a mobile terminal adapted for use by decrypting the data/information, or location information on the mobile terminal transported directly from the location service in the communication network to the server.

GIROUX

GIROUX discloses that the decrypted information is viewed by a user, and that the electronic information may be video, audio, pictorial, or electronic data. Further, GIROUX teaches that geographical positioning data can be provided by a GPS or LORAN device used with the viewing tool (user equipment). Thus, GIROUX teaches to find the location information from a

mobile station which is contrary to the claimed feature in which the server finds location information on the mobile station from a location service in a network.

Thus, GIROUX also does not teach a data connected to a certain area being encrypted, a mobile terminal adapted for use by decrypting the data/information, or location information on the mobile terminal transported from the location service in the communication network to the server.

Further, as GIROUX teaches to find out the location information from a mobile station which is contrary to the claimed feature in which the server finds out location information on the mobile station from a location service in a network, it is improper to combine this reference with TEARE. The Federal circuit has held that it is improper to combine references where the references teach away from their combination. *In re Grasselli*, 713 F.2d 731, 743, 218 USPQ 769, 779 (Fed. Cir. 1983). Also, "One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention." *In re Fine*, 837 F.2d 1071, 1075 (Fed. Cir. 1988). In an obviousness rejection, it is impermissible "to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art." *In re Wesslau*, 353 F.2d 238, 241 (CCPA 1965).

PIRILA

PIRILA discloses that the encrypted information is the transmitted location information itself.

Accordingly, PIRILA also does not teach a data connected to a certain area being encrypted, a mobile terminal adapted for use by decrypting the data/information, or location information on the mobile terminal transported from the location service in the communication network to the server.

The recited invention, when considered as a whole, is believed to be non-obvious. As each independent claim is non-obvious, the dependent claims are non-obvious. Reconsideration and allowance of all the claims are respectfully requested.

This response is believed to be fully responsive and to put the case in condition for allowance. An early and favorable action on the merits is earnestly requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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